

Application Number 10/743,206  
Amendment dated December 23, 2004  
Responsive to Office Action mailed September 29, 2004

### **REMARKS**

This Amendment is responsive to the Office Action dated September 29, 2004. Applicant has amended claims 1, 3, 5, 6, 8-12, 14, 23-26, 28, 30, 34, 36, 39, and canceled claims 4, 20, 22, 29, 37 and 38. Claims 1-3, 5-19, 21, 23-36 and 39-43 are pending.

### **Claim Rejection Under 35 U.S.C. § 101**

In the Office Action, the Examiner rejected claims 1-27 under 35 U.S.C. 101. Applicant respectfully traverses this rejection. In particular, Applicant submits that the claims are directed to an invention that produces a useful, concrete and tangible result, notwithstanding the recitation of computer implementation. Per the Examiner's suggestion, however, Applicant has amended independent claims 1 and 14 to recite a "computer-implemented method" to clarify that the claims are directed to the technical arts and produce a useful, concrete and tangible result. This amendment is made in order to expedite prosecution toward prompt allowance of the application. Applicant respectfully submits that pending claims 1-3, 5-19, 12, 23-27 as amended satisfy the requirements of 35 U.S.C. § 101 and requests withdrawal of the rejection.

### **Claim Rejection Under 35 U.S.C. § 112**

In the Office Action, the Examiner rejected claims 14-27, 29-36, and 38-43 under 35 U.S.C. 112, second paragraph. Per the Examiner's suggestion, Applicant has amended claim 14 for purposes of clarification to incorporate the elements of claim 20. In addition, Applicant has amended claims 28 and 38 to address the issues raised by the Examiner. Applicant submits that the pending claims, as amended, satisfy the requirements of 35 U.S.C. 112, second paragraph.

### **Allowable Subject Matter**

In the Office Action, the Examiner objected to claims 4-7, 9-13, 22-27, 29-35, and 38-43 as being dependent upon a rejected base claim, but would be allowable if rewritten to overcome any rejection(s) under 35 U.S.C. 112, 2<sup>nd</sup> paragraph and 35 U.S.C. 101, set forth in this Office Action, and to include all of the limitations of the base claim and any intervening claims. In this Amendment, Applicant has amended independent claim 1 to include all subject matter recited by allowable claim 4. Similarly, Applicant has amended claim 14, 28 and 36 to include the

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allowable subject matter of claims 22, 29 and 38, respectively. Consequently, independent claims 1, 14, 28 and 36, and the claims dependent therefrom, are in condition for allowance.

### CONCLUSION


All claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt allowance of all pending claims. Please charge any additional fees or credit any overpayment to deposit account number 50-1778. The Examiner is invited to telephone the below-signed attorney to discuss this application.

Date:

12-23-04

SHUMAKER & SIEFFERT, P.A.  
8425 Seasons Parkway, Suite 105  
St. Paul, Minnesota 55125  
Telephone: 651.735.1100  
Facsimile: 651.735.1102

By:



Name: Steven J. Shumaker  
Reg. No.: 36,275